
IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

RUSSELL G. GREER,

Plaintiff,

v.

**JOSHUA MOON, publisher of the website
Kiwi Farms; and KIWI FARMS, a website,**

Defendants.

**MEMORANDUM DECISION
AND ORDER**

Case No. 2:20-cv-00647-TC-JCB

District Judge Tena Campbell

Magistrate Judge Jared C. Bennett

District Judge Tena Campbell referred this case to Magistrate Judge Jared C. Bennett pursuant to [28 U.S.C. § 636\(b\)\(1\)\(A\)](#).¹ Before the court are pro se Plaintiff Russell G. Greer's ("Mr. Greer"): (1) motion for service of process² and (2) motion for email filing and notification.³ As an initial matter, the court notes that Mr. Greer has been permitted to proceed in forma pauperis in this case under [28 U.S.C. § 1915](#) ("IFP Statute").

The court addresses the above-referenced motions in turn below. Based upon the following analysis, Mr. Greer's motion for service of process is denied, and his motion for email filing and notification is granted.

¹ ECF No. 9.

² [ECF No. 4.](#)

³ [ECF No. 5.](#)

ANALYSIS

I. Motion for Service of Process

Mr. Greer moves the court for service of process and that service be processed by email because defendants' location is unknown to Mr. Greer. However, when a case is proceeding under the IFP Statute, the officers of the court are required to issue and serve all process and perform all duties related to service of process. [28 U.S.C. § 1915\(d\)](#). At the same time, the IFP Statute allows the court to screen the complaint in such a case to determine whether it should be served upon the named defendant(s) or dismissed. [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#). In this case, the court has not yet completed that screening process and, consequently, has not yet determined whether Mr. Greer's complaint in this case should indeed be served on the named defendants. If the court determines that the complaint should be served on the named defendants, the court will also determine whether service should be processed by alternative means. Mr. Greer does not need to take any action to trigger service of process. Thus, Mr. Greer's motion is denied.

II. Motion for Email Filing and Notification

Under DUCivR 5-1(b), Mr. Greer moves for permission in this case to email documents to the Clerk of the Court for filing and to receive electronic notifications of case activity. Based upon Mr. Greer's agreement to abide by the conditions and requirements of DUCivR 5-1(b), his motion is granted. The Clerk of the Court is directed to use the email address set forth in Mr. Greer's motion for sending him electronic notifications of activity in this case.

ORDER

In summary, IT IS HEREBY ORDERED:

1. Mr. Greer's motion for service of process⁴ is DENIED.
2. Mr. Greer's motion for email filing and notification⁵ is GRANTED.

DATED this 9th day of October 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Jared C. Bennett', is written over a horizontal line.

JARED C. BENNETT
United States Magistrate Judge

⁴ [ECF No. 4](#).

⁵ [ECF No. 5](#).